

2024

THE MEC GUIDE TO ETHICS LAWS

A PLAIN ENGLISH SUMMARY



MEC

MISSOURI
ETHICS
COMMISSION

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This guide is intended to provide a plain English summary of the Missouri ethics laws, including laws affecting the activities of individuals who are or may become candidates for elective office at the state, county, municipal, or special district level in Missouri.

§ 105.973, RSMo.

Information about the Missouri Ethics Commission and all forms and requirements can be found on the Commission's website at mec.mo.gov.

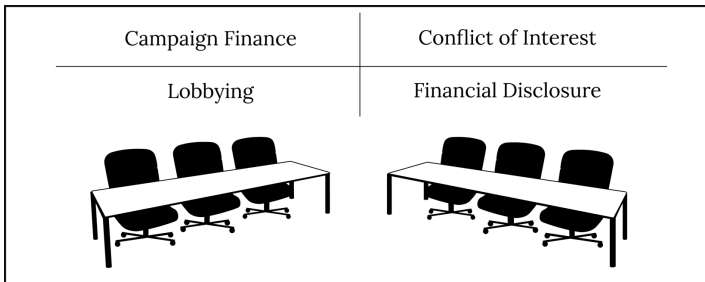
-About the Commission-

Missouri Ethics Commission

(§ 105.955, RSMo)

The Missouri Ethics Commission (MEC) was created by the Missouri Ethics Law of 1991.

The Commission consists of six members, each appointed by the Governor with the advice and consent of the Senate for a four-year term. Commissioners are selected from different congressional districts, with no more than three Commissioners from the same political party. However, once appointed, Commissioners serve in a non-partisan manner. A chair and vice-chair are elected every two years. The Commission employs an Executive Director to oversee the day-to-day operations of the agency's professional and non-partisan staff.



The Commission enforces the laws and retains information and reports related to lobbyists, personal financial disclosure, campaign finance disclosure, and conflict of interest laws.

Our Mission

The MEC serves the public interest by promoting and maintaining transparency, accountability, and compliance with campaign finance, lobbying, and conflict of interest laws. The Commission educates and assists the citizens of Missouri, public officials, lobbyists, and those participating in public elections, by increasing awareness and understanding of the law. The MEC investigates and enforces these laws consistently.

-About the Commission-

Advisory Opinions

An advisory opinion is issued by the Commission and provides its interpretation of a law. An advisory opinion may act as legal direction to the person requesting the opinion and the requesting person will not be held liable for relying on the opinion. The opinion may act as a defense of justification against prosecution.

To request an advisory opinion, the requestor must:

1. Submit a written request; and
2. Be directly affected by the application of the law to the facts presented.

§ 105.955.16(1), RSMo

The Commission may issue a written opinion regarding any issue that the Commission can receive a complaint on pursuant to § 105.957, RSMo (see pg. 37 for more information).

Advisory opinions specifically apply to the requester and facts presented, but can be used for guidance by others on how the Commission interprets the law. Searching existing advisory opinions may aid in answering questions regarding Missouri's governmental ethics laws.

Advisory opinions are compiled and published on our website:

1. **Go** to mec.mo.gov.
2. **Select** Advisory Opinions from the list of searches.
3. **Search** opinions by topic, keyword, statute, or date.

Personal Financial Disclosure

1

What is a PFD?

(§§ 105.483—105.492, RSMo)

Many candidates and public officials/employees must disclose their private financial interests to prevent potential conflicts of interest. Personal Financial Disclosure forms and requirements are commonly referred to as “PFD.”

PFD filers must disclose their financial interests as well as the interests of their spouse and any dependent child(ren). State law allows the name and employment information of dependent children under the age of 21 to be redacted from a PFD upon written request.*

What is a political subdivision?

(§ 105.450(9), RSMo)

Political subdivisions include (but are not limited to): a county, city, town, village, township, school district, library district, public water supply district, road district, fire protection district, ambulance district, hospital district, nursing home district, and other districts formed pursuant to Missouri law) to provide limited, specific services.

In this section:

- Required PFD filers
- How to file
- PFD candidate filers
- PFD annual filers
- PFD deadlines



* See the [PFD Child Redaction Request Form](#) on our website.

- Filing a PFD -

Persons Required to File a PFD with the MEC

(§§ 105.483 and 105.489, RSMo)

State Level:

- Statewide officeholders, candidates, and designated staff
- State Senators, State Representatives, and General Assembly candidates
- Certain state board and commission members
- State judicial candidates who are not sitting judges
- Certain employees authorized to promulgate or adopt rules and regulations or who serve as the chief administrative officer, chief purchasing officer, or full-time general counsel.

Local/Political Subdivision Level:

Political subdivisions with an annual operating budget (AOB) over \$1 million may adopt a conflict of interest ordinance identifying positions required to file a PFD. The ordinance must be readopted every two years by September 15 and a certified copy must be filed with the MEC within 10 days of adoption/readoption. Local filers include the following (only in political subdivisions with an AOB over \$1 million):

- All candidates and public officials in political subdivisions where no ordinance has been adopted/readopted
- Candidates and public officials where an ordinance has been adopted and filed with the MEC that meet one or both of the following:
 - The candidate, official, or their relative (related within the first degree of blood or marriage) is doing business or owns a substantial interest in a business that has conducted business with the political subdivision in excess of \$500
 - The ordinance specifically requires the filing of a PFD
- Certain employees who are authorized to promulgate or adopt rules and regulations or who serve as the chief administrative officer, chief purchasing officer, or full-time general counsel.
- Municipal judges (if required by a political subdivision)

Judges required to file a PFD with Missouri Supreme Court

(§§ 105.483(1) and 105.489(2), RSMo)

- Missouri Supreme Court judges
- Appellate judges
- Circuit judges
- Associate circuit judges

Note: State judicial candidates who are not sitting judges file with the MEC.

- Filing a PFD -

PFD Filing Options

Electronic Filing	Paper Filing
<ul style="list-style-type: none"> Those electronically filing a PFD for the first time can request an MEC Filer ID on the MEC's website: <ul style="list-style-type: none"> From mec.mo.gov, select "Login" in the top right corner. Select "PFD E-Filer Account Request" from the drop-down menu. Complete and submit the requested information. Upon processing the request, the MEC will email the requestor their MEC Filer ID and password. To electronically file a PFD, simply use the MEC Filer ID and password to access the electronic filing system on the MEC's website and complete the required information. Once a PFD is filed electronically, a confirmation email will automatically be sent to the filer. In the event the filer must file subsequent PFDs, the filer may pull from previously entered information. 	<ul style="list-style-type: none"> Paper forms can be found under the "Financial Disclosure" tab on the MEC's website. Paper filings require an original signature. Submit paper forms via mail, fax, or hand-delivery: <ul style="list-style-type: none"> Mail: PO Box 1370, Jefferson City, MO 65102 (please note: mailed filings must be postmarked no later than midnight the day before the due date.) Fax: 573-526-4506 Hand-Delivery: 3411 Knipp Drive, Ste. A, Jefferson City, MO 65109 Disclaimer: Paper filings will not receive an automatic confirmation of receipt.

Important Note

State law requires a request to receive copies of PFDs filed with the Commission. Therefore, PFDs are not available for public viewing on the MEC's website.



See the [Guide to Personal Financial Disclosure](#) on our website.

- PFD Candidate Filers -

A candidate filer is an individual running for public office who is required to file a PFD by virtue of the office the candidate is seeking. This includes candidates for statewide office, General Assembly, and candidates in political subdivisions with an AOB over \$1 million (unless the subdivision has adopted an ordinance or resolution which excludes the candidate from filing a PFD).

A candidate's PFD is due no later than 14 days after the closing date of filing for candidacy (see specific deadlines on page 10).^{*} Candidate filers must file their PFD with the MEC and provide a copy to their political subdivision if it has an ordinance.

See § 105.487(1), RSMo for more information about candidate PFD filers.

Candidate filer notification

A candidate receives notification of their PFD filing requirement and deadline on the *Notice to Candidate* form when they file a *Declaration of Candidacy* with their election authority. This may be the only notification a candidate receives regarding their PFD filing requirement.

Reporting time period

New candidates report information for the 12 months prior to the closing date of filing for candidacy. Incumbent candidates (candidates who are also annual filers) report information from January 1 of the previous calendar year to the closing date of filing for candidacy. This period may be longer than 12 months.

A candidate required to file a PFD because of their candidacy in a primary election must **amend** their PFD by the Monday before the general election if they obtain any additional financial interests or have any change in their existing financial interest since the filing of their last PFD.

Incumbent candidate example

An incumbent city councilman is running for mayor. Rather than filing their PFD by the annual filer deadline, May 1, they file their PFD no later than 14 days after the closing date for filing for candidacy because their candidate filer deadline is earlier.

^{}If an individual is nominated as a candidate after the certification date, they must file a PFD within 14 days of nomination.*

- PFD Annual Filers -

An annual filer is an individual from the state or a political subdivision with an annual operating budget (AOB) over \$1 million that is required by law to disclose their financial interests by virtue of the position they hold.

An annual filer must file a PFD with the MEC no later than May 1, after each calendar year the position is held. If an annual filer is also a candidate, they must submit their PFD by their earliest filing deadline (whether annual or candidate, see page 10). Former public officials and employees who previously filed a PFD must file a PFD for the position they held in the previous calendar year.

See § 105.487(3), RSMo for more information about annual PFD filers.

Annual filer notification

In January of each year, the MEC notifies individuals that they have been identified as a required PFD filer. State law requires the agency or political subdivision to notify all individuals that have been designated as required filers.

Former employees and officials:

To ensure receipt of the annual PFD filing reminder, ensure the state agency or political subdivision has personal contact information.

Reporting time period

PFDs filed by the May 1, 2024, deadline cover January 1 through December 31, 2023. If an individual no longer holds the position, the PFD covers the period from January 1 through the last day they held the position.

Examples for annual PFD filers

- A fire district board member serving through 2023 must file a PFD by May 1, 2024. This PFD will disclose the financial interests of the board member, their spouse, and dependent children for the 2023 calendar year.
- A former city council member served in a city with an ordinance that requires them to file a PFD. Their last day of service was October 5, 2023. This PFD will disclose the financial interests of the former city council member, their spouse, and dependent children from January 1, 2023 through October 5, 2023 and is due by May 1, 2024.

- PFD Deadlines -

2024 Candidate PFD Filer Deadlines					
2024 Election Dates	Feb. 6	March 5 See local charter	April 2 Municipal Election	Aug. 6	Nov. 5
PFD Filing Deadline* (14 days after the closing date of filing for candidacy)	Nov. 14, 2023	Dec. 12, 2023	Jan. 9	April 9	Aug. 13
PFD Filing Deadline** (21 days after the closing date of filing for candidacy)	Nov. 21, 2023	Dec. 19, 2023	Jan. 16	April 16	Aug. 20
Penalties for candidate filers: <i>*Failure to file by the 14-day deadline results in a minimum \$10/day late fee.</i> <i>**Failure to file by the 21-day deadline results in removal from the ballot.</i>					

2024 Annual PFD Filer Deadlines	
Current and former public officials/ employees who must file a PFD	May 1, 2024
Any newly appointed or employed public officials who are required to file a PFD	30 days from appointment or hire date (report calendar year prior to the date of appointment or hire)
Annual filers who are running for office must submit their PFD by the earliest filing deadline (whether annual or candidate).	
Penalties for annual filers: \$10/day late fees	

- Electronically filed, faxed, or hand-delivered filings must be received no later than the due date.
- Mailed filings must be postmarked no later than midnight the day before the due date.
- If the PFD due date falls on a weekend or an official holiday, the deadline is extended to the next business day.

Note: *If a political subdivision has a conflict of interest ordinance on file with the MEC and filing deadlines are not met, penalties (if any) are assessed by the political subdivision according to its ordinance.*

Campaign Finance Disclosure

2

What is campaign finance disclosure?

(Chapter 130, RSMo)

Campaign finance disclosure is required when individuals, groups, and committees, receive contributions (monetary or in-kind) and/or make expenditures (paid or incurred) to support or oppose candidates or ballot measures. The law requires record-keeping and reporting of these activities. These disclosure requirements create transparency and accountability.

Contribution—§ 130.011(12), RSMo

A donation of money (also known as a **monetary contribution**) or anything of value (also known as an **in-kind contribution**) given to support or oppose a candidate or ballot measure. Contributions include gifts, loans, and a candidate's own money used in support of their candidacy (with specific exceptions noted in the law).

Expenditure—§ 130.011(16), RSMo

A payment made to support or oppose a candidate or ballot measure. Expenditures must be recorded and reported at the time they are made or incurred. **Incurred expenditures** are expenses that a candidate or committee promises to pay in one reporting period, but actually pays in another.

In this section:

- Establishing a committee
- Reporting requirements and filing deadlines
- "Paid for by" disclosure
- Contribution limits and prohibitions
- Post-election guidelines
- Committee checklist



See [Campaign Finance Publications](#) on our website.

- Campaign Finance Committees -

What is a committee?

(See § 130.011, RSMo, for full definitions of “committee” and “person”)

A committee is a person or group of people who accepts contributions (monetary or in-kind) or makes expenditures (paid or incurred) to influence the action of voters by supporting or opposing candidates and/or ballot measures or to pay a previous campaign debt. Once money spent or received exceeds certain monetary thresholds (pg. 13-14), a committee must be formed and registered with the MEC.

Reporting non-committee expenditures

(§ 130.047, RSMo)

Individuals, businesses, groups, and others that do not meet the definition of a committee, and that are not accepting contributions from others, but spend \$500 or more in support of or in opposition to candidates or ballot measures in an election, must file a *Non-Committee Expenditure Report*.

This report is due no later than 14 days after total expenditures exceed \$500. If additional expenditures are made after filing the initial report, a further report should be filed within 14 days; except if any such expenditure is made within 14 days before an election, the report must be filed within 48 hours.

See Advisory Opinion [2018.05.CF.004](#) regarding when non-profit corporations may be committees.

Out-of-state committees and federal PACs

(§ 130.021.10, RSMo, and Mo. Const. Art. III, § 2(f))

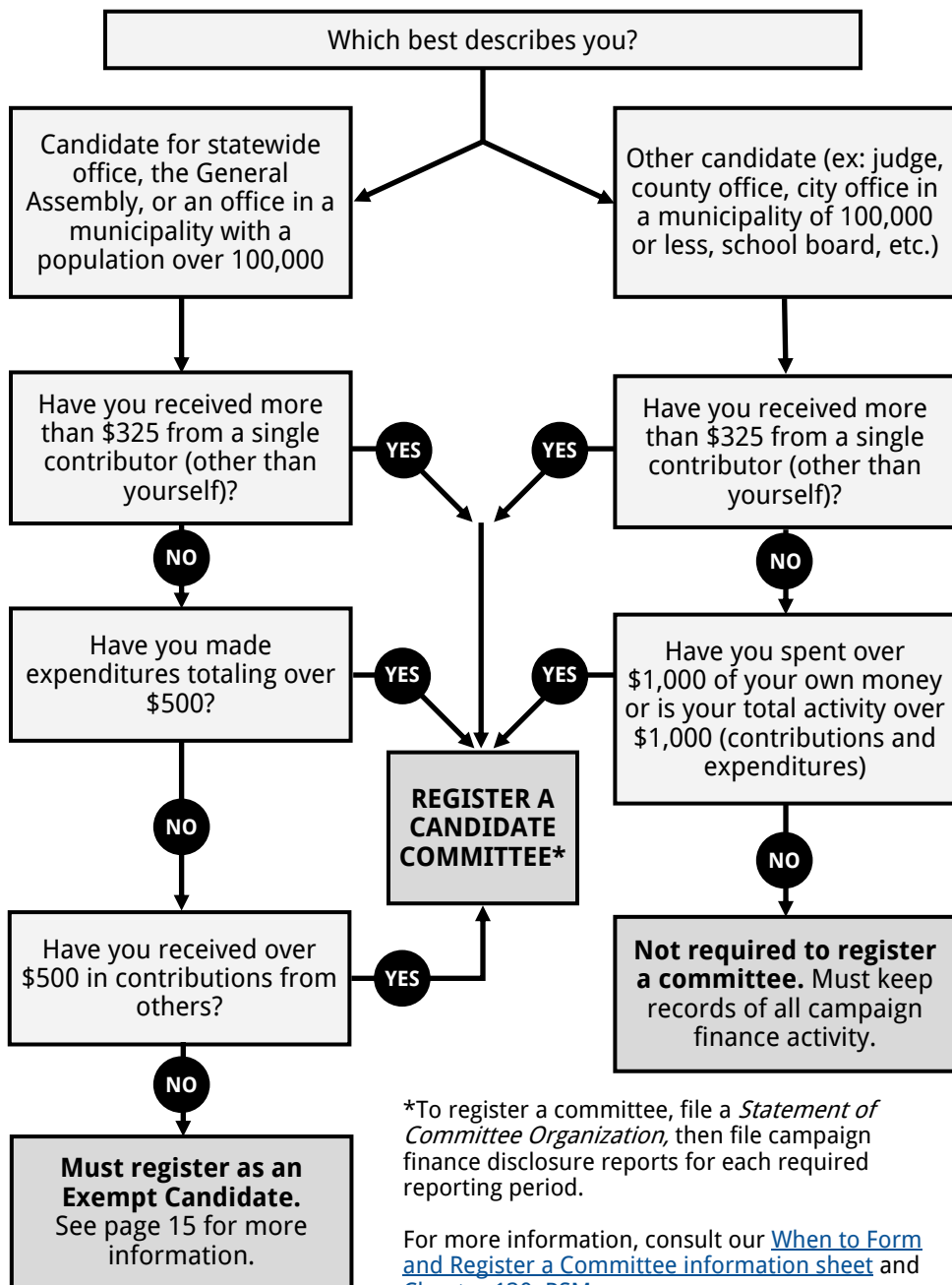
Missouri law defines certain federal political action committees (PACs) (registered with the Federal Election Commission (FEC)) and out-of-state committees (committees registered in other states). Federal PACs and out-of-state committees are required to register a Missouri committee and file reports if:

- The aggregate of all contributions received from persons domiciled in Missouri exceeds 20% in total dollar amount of all funds received by the committee in the preceding 12 months; or
- The aggregate of all contributions and expenditures made by the committee or PAC to support or oppose candidates and ballot measures in Missouri exceeds \$1,500 in the current calendar year; or
- The federal PAC makes a contribution to a candidate for the Missouri General Assembly.

See [1 CSR 50-5.010](#) and [1 CSR 50-5.020](#) for more information.

- Establishing a Candidate Committee -

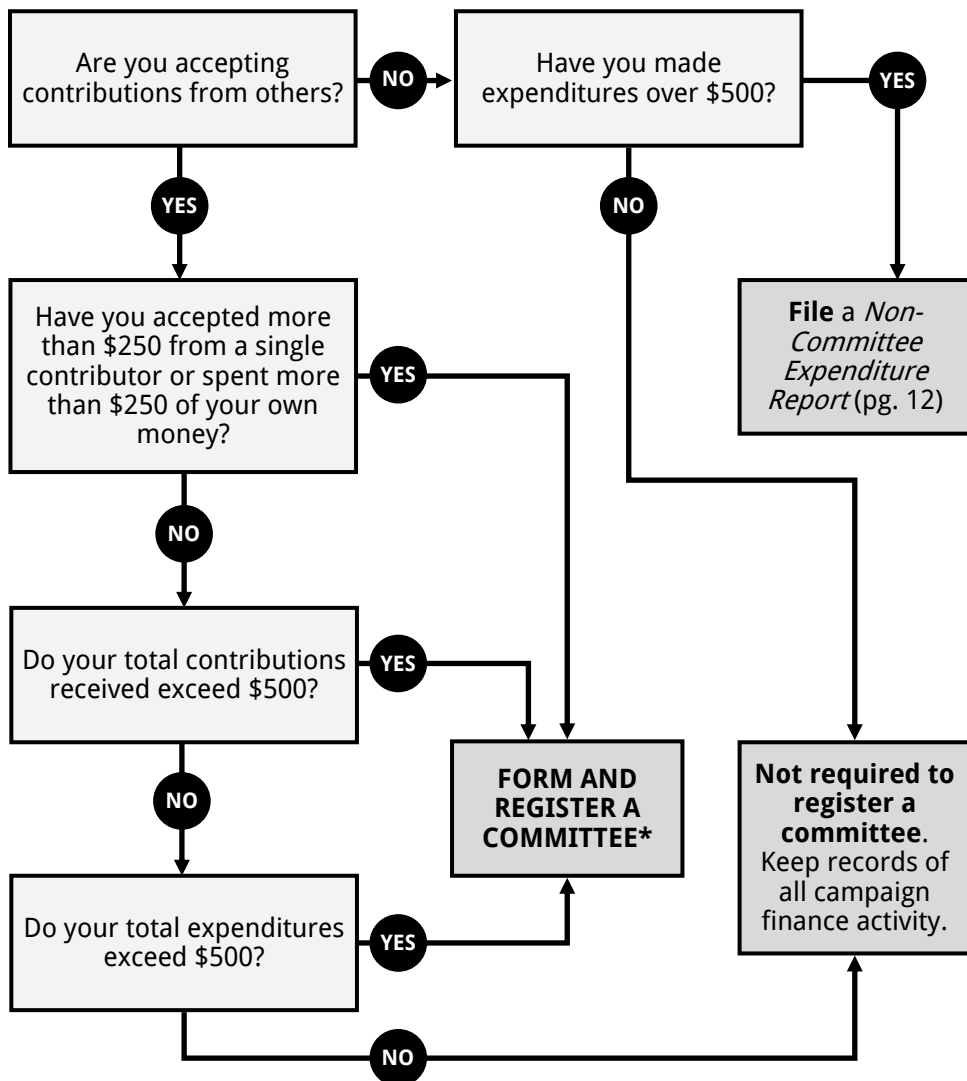
§§ 130.016 and 130.021, RSMo



- Establishing a Committee -

§ 130.011, RSMo

Anyone other than a candidate may use this flowchart to determine whether they have met the monetary thresholds that would require them to establish a committee and file reports with the MEC.



**To register a committee, file a Statement of Committee Organization, then file all subsequent campaign finance disclosure reports for each reporting period as required.*

- Establishing a Committee -

Follow these steps:

1. Identify the type of committee.
2. Form the committee. Candidate committees must be formed no later than 30 days prior to the candidate's election.
3. Register the committee with the MEC to file campaign finance disclosure reports.

Step 1: Identify the committee type

Types of Campaign Finance Committees
Campaign Committee: (§ 130.011(8), RSMo) Formed to support or oppose ballot measures or judicial retention.
Candidate Committee: (§ 130.011(9), RSMo) Formed by a single candidate for office in a specific election. <ul style="list-style-type: none">• Exploratory committee: formed to receive/spend money to determine whether an individual will seek public office• Debt service committee: a candidate committee converted to retire committee debt <p>An exempt candidate is a candidate for statewide office, the General Assembly, or a municipal office in a city with a population of over 100,000 who is not required to form and register a candidate committee with the MEC because their campaign finance activity has not exceeded certain thresholds (see page 13). Such candidates have more limited campaign finance disclosure requirements. See our Exempt Candidate Information Sheet for more information.</p>
Continuing Committee (also known as a Political Action Committee/PAC) (§ 130.011(10), RSMo) Formed to remain in existence beyond any one election/ballot issue, directed by someone other than a candidate.
Political Party Committee (§ 130.011(25), RSMo) Formed as a committee of a political party.

- Establishing a Committee -

Step 2: Form the committee

Upon deciding to form a committee or upon meeting the monetary thresholds for forming a committee, one must:

- Select a committee name incorporating the name of the candidate (if applicable)
- Appoint a treasurer (required) and consider appointing a deputy treasurer (optional).
- Open a committee bank account.
- Establish committee record-keeping practices.
- Develop a procedure to ensure timely filing of all reports.
- Become familiar with all campaign finance requirements.

Treasurer/deputy treasurer requirements:

(§ 130.021.1, RSMo)

- Must be a resident of Missouri
- Must reside in the district or any county in which the committee sits ([Advisory Opinion 2008.10.CF.009](#))
- If a candidate committee:
 - Must reside in the candidate's district or any county which contains a portion of the district
 - Must be appointed by the candidate (candidate can appoint self as treasurer)

Bank account requirements:

(§ 130.021.4, RSMo)

Every committee must have an official bank account which is:

- Held in the committee's name, as it will be registered;
- At one federal or state chartered bank, savings and loan association, or credit union in Missouri;
- A negotiable draft type of account;
- Able to provide records of deposits, canceled checks, and any other account of activity; and
- Not commingled with any other funds or bank account that has non-committee funds.

- Establishing a Committee -

Step 3: Register the committee

(§ 130.021.5, RSMo)

All committees (except local campaign committees) must register with the MEC by filing a *Statement of Committee Organization* within 20 days of becoming a committee, but no later than the deadline for filing the first disclosure report the committee would be required to file.

Local campaign committees must register with their local election authority. If they would like to electronically file reports with the MEC in lieu of paper reports with their local election authority, they must file a *Statement of Committee Organization* with the MEC. Such committees must continue to file campaign finance disclosure reports with the MEC.

Important Note—Contributions over \$5,000

All committees, including local campaign committees, must register with the MEC within 48 hours of receiving a monetary or in-kind contribution or loan over \$5,000.

This includes all monetary and in-kind contributions given/loaned to one's own committee which must be reported as required.

Upon registering, a candidate committee's first report includes all campaign finance activity since the individual became a candidate (see § 130.011(3), RSMo, for the definition of "candidate"). For all other committees, the first report will disclose campaign finance activity since the day the committee was formed. Committees must disclose campaign finance activity throughout the life of the committee.

Amending committee information

(§ 130.021.7, RSMo)

File an amended *Statement of Committee Organization* within 20 days after a change occurs, but no later than the due date of the next required report. Include a brief description of what changed.



See the [Treasurer's Guide to Campaign Finance Information Sheet](#) on our website.

- Committee Reporting Requirements -

Quarterly Reports (§ 130.046.1(3), RSMo)

All committees must file quarterly disclosure reports no later than the 15th day following the close of each calendar quarter. These quarterly reports are due until the committee terminates.

48 Hour Report of Contribution over \$5,000 (§ 130.044.1, RSMo)

Any individual or committee that receives a single contribution (including a loan)* from a contributor in an amount over \$5,000 must electronically report the contribution to the MEC within 48 hours of receipt. This contribution must also be included in the committee's next filed report.

24 Hour Notice of Late Contribution Received (§ 130.050.3, RSMo)

Any receipt of a contribution (including a loan)* in an amount over \$250 that is received less than 12 days before an election, must be reported within 24 hours of its receipt. This contribution must also be included in the committee's next filed report.

24 Hour Late Expenditure Report (§ 130.046.3(2), RSMo)

Each time a **continuing committee (PAC)** aggregates more than \$250 in expenditures made or incurred (not including contributions made to candidates or other committees) less than 12 days before an election, a full disclosure report must be filed within 24 hours. If not filed timely, late fees of \$10 per day are assessed.

40 Day Before Election Report (§ 130.046.1, RSMo)

Only required if the committee accepted contributions or spent money (made contributions or expenditures (paid or incurred)) for the election.

8 Day Before Election Report (§ 130.046.1(1), RSMo)

Only required if the committee spent money (made contributions or expenditures (paid or incurred)) for the election.

30 Day After Election Report (§§ 130.046.1(2) and 130.046.5(2), RSMo)

Only required if the committee spent money (made contributions or expenditures (paid or incurred)) for the election; and, if required, must be filed before taking office. If debt exceeds \$1,000, the committee may not file a *Statement of Limited Activity* for this report.

See § 130.011(12), RSMo, for the full definition of "contribution."

Exempt candidates—see the [Exempt Candidate Information Sheet](#) on our website.

- Campaign Finance Committees -

Time period covered

(§§ 130.046.5(2) and 130.046.4, RSMo)

When filing a *Full Disclosure Report* or *Statement of Limited Activity*, the time period covered begins the day after the closing date for the last filed *Full Disclosure Report*. A full disclosure report discloses all contributions received/ made and expenditures made during this time period.

Example: If you filed a *Statement of Limited Activity*, for the *January Quarterly Report*, and you have since received contributions or made expenditures over \$500 or received more than \$300 from a single contributor, you will file a *Full Disclosure Report*, which includes all activity from October 1 through March 31 on the *April Quarterly Report*.

Weekend and holiday extensions

(§ 105.964, RSMo)

If the due date for filing a report falls on a Saturday, Sunday, or an official holiday, the due date is extended to the next business day. However, this extension does not apply to any reports or notices due less than eight days before an election, in which case there are no extensions.

Late fees

(§ 105.963, RSMo)

If reports required to be filed with the MEC are not received by the due date, committees are assessed a minimum \$10 per day late fee. If the report is not filed within 30 days, a \$100 per day late fee is assessed, not to exceed \$3,000. For the *8 Day Before Election Report*, late fees are \$100 per day for candidates.

Quarterly report deadlines (§ 130.046.1(3), RSMo)

All committees must file quarterly reports no later than the 15th day following the close of each calendar quarter. These quarterly reports are due throughout the life of the committee. Closing and due dates are listed below.

Closing Date (date reported through)	<u>Jan.</u> Dec. 31, 2023	<u>April</u> March 31	<u>July</u> June 30	<u>Oct.</u> Sep. 30
Due Date	Jan. 16	Apr. 15	July 15	Oct. 15



See the [Statement of Limited Activity Information Sheet](#) on our website to learn about your committee's reporting options.

- Deadlines for 2024 Elections -

February 6, 2024 Election

Report Title	Closing Date	Due Date
8 Day Before Election Report	Jan. 25, 2024	Jan. 29, 2024
30 Day After Election Report	Mar. 2, 2024	Mar. 7, 2024

March 5, 2024 Election

Report Title	Closing Date	Due Date
40 Day Before Election Report	Jan. 20, 2024	Jan. 25, 2024
8 Day Before Election Report	Feb. 22, 2024	Feb. 26, 2024
30 Day After Election Report	Mar. 30, 2024	Apr. 4, 2024

April 2, 2024 Election

Report Title	Closing Date	Due Date
40 Day Before Election Report	Feb. 17, 2024	Feb. 22, 2024
8 Day Before Election Report	Mar. 21, 2024	Mar. 25, 2024
30 Day After Election Report	Apr. 27, 2024	May 2, 2024

August 6, 2024 Election

Report Title	Closing Date	Due Date
8 Day Before Election Report	Jul. 25, 2024	Jul. 29, 2024
30 Day After Election Report	Aug. 31, 2024	Sep. 5, 2024

November 5, 2024 Election

Report Title	Closing Date	Due Date
8 Day Before Election Report	Oct. 24, 2024	Oct. 28, 2024
30 Day After Election Report	Nov. 30, 2024	Dec. 5, 2024

- Paid for By Disclosure -

What are campaign materials?

(§ 130.031.8, RSMo)

All of the following printed matter are considered campaign materials and must display the proper “paid for by” statement:

- Pamphlets
- Flyers
- Door hangers
- Business cards
- Sample ballots
- Advertisements
- Signs (including those for display on vehicles)
- Other imprinted or lettered materials

The MEC does not regulate sign placement. Review local ordinances and MODOT policies for guidance on unauthorized signs.

What is excluded from “paid for by” requirements?

- Certain items of personal use, given away or sold, that are obvious in their identification with a specific candidate or committee, and the cost of which is reported on campaign finance reports.
- A sign that is personally printed/constructed by an individual without compensation, and is displayed at that individual's place of residence or on their personal motor vehicle.
- A news story, commentary, or editorial printed by a regularly published newspaper or other periodical without charge to a candidate, committee, or any other person.

Who must comply?

Any person publishing, circulating, or distributing campaign material relative to any candidate for public office or any ballot measure within Missouri must comply with material identification requirements.

See § 130.011(22), RSMo, for definition of “person,” which is broader than individuals.

See § 115.646, RSMo, for prohibitions on the use of public funds by political subdivisions to advocate, support, or oppose candidates or ballot measures.

TV, radio, and federal candidates

Those who are transmitting information about candidates or ballot measures through TV or radio must provide sponsor identification in accordance with federal laws. Federal law also provides sponsor identification guidance for those who are printing material or broadcasting about federal candidates.



For details, see the [Paid for By Information Sheet](#) on our website.

- Paid for By Disclosure -

Who paid for the printed material?	Required Information (following the words “Paid for by”)
Candidate from personal funds (only if no candidate committee exists) <i>(§ 130.031.8(1), RSMo)</i>	First and last name by which the candidate is known (NOT “Paid for by candidate.”) <i><u>Example:</u> Paid for by Jane Smith.</i>
Committee <i>(§ 130.031.8(2), RSMo)</i>	Name of the committee as required to be registered and the name and title of the committee treasurer who was serving when the printed matter was paid for <i><u>Example:</u> Paid for by Committee to Elect Jane Smith, John Davis, Treasurer.</i>
Corporation, Business Entity, Labor Organization, Other Organization (not a committee and not organized for influencing election(s)), and Political Subdivisions <i>(§ 130.031.8(3), RSMo)</i>	Name of the entity, the name of the principal officer of the entity, by whatever title known, and the mailing address of the entity, or if the entity has no mailing address, the mailing address of the principal officer <i><u>Example:</u> Paid for by Rock Corporation, John Davis, Chief Financial Officer, 888 Main St., Jefferson City, MO 65109.</i>
Individual(s) <i>(§ 130.031.8(4), RSMo)</i>	Name of the individual or individuals and the respective mailing address or addresses <i><u>Example:</u> Paid for by Jane Smith, 200 Anyplace Street, Jefferson City, MO 65109.</i> If more than five individuals pay for printed matter, print the words “For a list of other sponsors contact:” followed by the name and address of one individual responsible for causing the matter to be printed and who will maintain a record of the names and amounts paid by other individuals. <i><u>Example:</u> Paid for by: For a list of other sponsors, contact: John Davis, 8525 Sappington Road, Jefferson City, MO 65101.</i>

“Paid for by” statement must use the full name of the person and/or entity. Use of abbreviations or acronyms, including for committee names, is prohibited.

- Contribution Limits & Prohibitions -

The Missouri Constitution imposes campaign contribution limits on candidates for state office. The Constitution provides additional provisions relating to contributions from corporations and labor organizations, contributions received by and made by campaign finance committees, and criminal penalties for violations of these provisions. Chapter 130, RSMo, contains campaign finance laws enacted by the General Assembly.

Office Sought	Contribution Limit from a Single Donor or Committee* Effective January 1, 2023
State Office (Governor, Lt. Governor, Secretary of State, State Treasurer, State Auditor, Attorney General)	\$2,825**
State Judicial Office	\$2,825**
State Senator	\$2,400**
State Representative	\$2,000**
Local Office	Check with your political subdivision.
<p>*A primary election and the succeeding general election are considered two separate elections. Contributions for the general election cannot be received until after the primary election (Advisory Opinion 2017.04.CF.012).</p> <p>**Check the MEC's website for the most up-to-date contribution limits.</p>	

Provisions for <u>all</u> candidate committees (including local candidates)	
Candidate committees CANNOT	Candidate committees CAN
<ul style="list-style-type: none"> • Receive contributions from or make contributions to another candidate committee, including federal candidate committees • Make contributions to continuing committees (PACs) • Receive contributions from corporations (with some exceptions) and labor organizations 	<p>Subject to any applicable contribution limits:</p> <ul style="list-style-type: none"> • Receive contributions from continuing committees (PACs) • Receive contributions from and make contributions to campaign committees • Receive contributions from and make contributions to political party committees

- Contribution Limits & Prohibitions -

Committee Type:	PROHIBITED from accepting contributions from the following:
Candidate Committees (including Exploratory and Debt Service Committees)	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Corporations or labor organizations (see pg. 25-26) • Other candidate committees • Any federal or out-of-state PAC that is making a contribution in excess of \$1,500 and has not registered with the MEC (General Assembly candidates are prohibited from taking any contributions from federal PACs that are not registered)*
Political Party Committees	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Corporations or labor organizations (see pg. 25-26) • Any federal or out-of-state PAC that is making a contribution over \$1,500 and has not registered with the MEC*
Campaign Committees	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Any corporations that do not have authority to transact business in the State of Missouri
Continuing Committees (PACs)**	<ul style="list-style-type: none"> • Any natural person who is not a United States citizen • A foreign government • Political party committees • Candidate committees (including exploratory committees and debt service committees) • Campaign committees • Any corporations, associations, or partnerships that do not have authority to transact business in Missouri • Any federal or out-of-state PAC that is making a contribution over \$1,500 and has not registered with the MEC*

**See pg. 12 for information about contributions from federal or out-of-state PACs.*

***See exceptions for a State Senate and/or House Committee designated by the party leader (Mo. Const. Art. VIII, § 23.3(13)).*

Penalties

Mo. Const. Art. VIII, § 23 provides criminal penalties for violations of specific provisions. These penalties can be found in Art. VIII, § 23.5 and 6. In addition, Art. VIII, § 23.4 allows an individual to file a complaint with the MEC regarding a candidate alleged to be in violation of Art. VIII, 23.3, within 60 days prior to the primary election through the general election.

- Contribution Limits & Prohibitions -

Contributions from Limited Liability Companies and Corporations

(Mo. Const. Art. VIII, § 23.3(16) and § 130.029.4, RSMo)

Limited liability companies (LLCs) and corporations must abide by the following rules when making contributions:

LLCs **without** corporate tax status may contribute to any Missouri campaign finance committee, if the following conditions are met:

- The LLC has existed for at least one year;
- The LLC has registered with the Missouri Secretary of State;
- The LLC is a legitimate business with a legitimate business interest and is not created solely to make campaign contributions; and
- The LLC has registered with the MEC using the LLC e-filing system. After creating an account, users can register existing LLCs with the MEC. Only a member or manager of an LLC (or equivalent for foreign LLCs), may attest that the LLC meets all the above conditions.

Corporations and LLCs **with** corporate tax status have no requirement to register with the MEC, and do not need to exist for any length of time prior to making a contribution. However, keep the following restrictions in mind:

- Candidate committees may not receive contributions from corporations or LLCs with corporate tax status.
- Foreign corporations and LLCs that do not hold valid certificates of authority to transact business in this state may not contribute to any Missouri campaign finance committees.

When receiving a contribution, committees may use the MEC's [LLC Campaign Finance Registration Search](#) to check an LLC's registration status. Do not assume an LLC that is not registered with the MEC has a corporate tax status. The MEC recommends verifying this information with the LLC.

Committees can reject a contribution within 10 business days and return the contribution to the donor. Any contribution not returned within this time period must be disclosed on the committee's next report.

See Advisory Opinions [2017.02.CF.005](#), [2017.02.CF.006](#), and [2017.03.CF.009](#) for additional information.



For the most current information, refer to the [MEC's website](#). Regularly check for updates and [Advisory Opinions](#).

- Contribution Limits & Prohibitions -

Using the LLC Campaign Finance Registration System

Creating an Account

- Select the “LLC Campaign Finance Registration” link from the “Help Center” box on the MEC homepage.
- Click the “Create Account” button.
- Enter all required information, including the email address and password you will use to login to the LLC Campaign Finance Registration System.

Registering an LLC

- Upon logging in, select “Add LLC Statement” and search for the LLC by entering its charter number or any portion of the LLC’s name.
- Click “start” next to the LLC. If the LLC has already been registered with the MEC, a green message will appear, indicating the filing date. Missouri LLCs that have existed less than a year will display a gray “ineligible LLC” message.
- The LLC’s member or manager must attest that the LLC meets all the requirements to make contributions to Missouri committees.

Once an LLC is registered, it will immediately appear in the MEC’s LLC Campaign Finance Registration Search.

Contribution Limits to Political Parties

(Mo. Const. Art. VIII, § 23.3(2))

Effective January 1, 2023, political parties may accept aggregate contributions of \$27,400 per election from persons or committees. The aggregate applies to the party committees at the state, county, municipal, district, ward, and township levels combined.

Connected Organizations

A corporation or labor organization may establish a continuing committee (PAC) which may accept contributions or dues from members, officers, directors, employees, or security holders.

- In [Advisory Opinion 2017.03.CF.010](#), the Commission stated that a corporation or labor organization may not contribute its own treasury funds to its connected continuing committee (PAC); it may contribute its own funds to an unconnected continuing committee (PAC).
- In [Advisory Opinion 2017.07.CF.014](#), the Commission discussed connected organizations and how a corporation’s status under the campaign finance laws is impacted under Mo. Const. Art. VIII, § 23.

- Post-Election Guidelines -

Post-Election Guidance for Candidate and Campaign Committees

Successful candidates:

- After the general election, file an amended *Statement of Committee Organization* and update election information;
- May use committee funds for necessary and ordinary expenses in connection with the duties of office;
- May terminate the committee.

Note: before being sworn-in, successful candidates must file a *30 Day After Election Report* if they have made contributions or expenditures. The reporting period covers the day after the last report closed through the earlier of either the day before being sworn into office or 25 days after the election.

Unsuccessful candidates:*

- If the committee has more money on hand than debt, terminate within 30 days; **or**
- If the committee has more debt than money on hand, it can amend to a debt service committee to retire debt, then terminate.

**Unsuccessful incumbent candidates: contact the MEC.*

Campaign committees:

- If the committee has more money on hand than debt, terminate within 30 days; **or**
- If the committee has more debt than money on hand, retire debt and terminate.

Terminating a committee:

1. Distribute any remaining funds and resolve committee debt.
 - See §§ 130.033 and 130.034, RSMo, for allowable uses of contributions. Note: the Missouri Constitution prohibits certain contributions to committees, including candidate committees (see pg. 23).
2. Close the committee's bank account.
3. File *Committee Termination Statement* and *Full Disclosure Report* within ten days of the committee's dissolution (within 30 days of dissolution for debt service committees), disclosing any remaining funds that were disbursed or loans that were paid through the committee's dissolution



See the [After Election Guidelines and Debt Service Committees](#) and [Terminating a Committee](#) information sheets on our website.

- Committee Checklist -

Creating and maintaining a committee:

- ☐ Select a committee name (incorporating the name of the candidate if a candidate committee).
- ☐ Select a treasurer who is a resident of the district or county in which the committee sits. A committee may also have a deputy treasurer. The candidate can serve as treasurer or deputy treasurer.
- ☐ Open an official committee bank account using the name of the committee as it will be registered with the MEC.
- ☐ Complete the *Statement of Committee Organization* and file with the MEC. Note: Local campaign committees for ballot measures must file a *Statement of Committee Organization* with their local election authority (pg. 17).
- ☐ Read all emails from the MEC and stay up-to-date on all filing deadlines.
- ☐ Research and establish a plan for proper record-keeping.
- ☐ Review contribution limits and restrictions on receiving and making contributions (pg. 23-26).
- ☐ Take advantage of the resources and training available from the MEC.
- ☐ Review reporting calendars and add deadlines to a personal calendar that you check often. Print a copy of the annual campaign finance deadlines from the MEC website.
- ☐ File all required reports by the deadlines to avoid late fees.

After the election:

Unsuccessful candidates:

- ☐ If the committee has more money on hand than debt, terminate within 30 days of the election. Close committee bank account, resolve debt, disburse remaining funds, and file a *Termination Report*.
- ☐ If the committee has more debt than money on hand, it can amend to a debt service committee to retire debt, then terminate.
- ☐ Unsuccessful incumbent candidates should contact the MEC.

Successful candidates:

- ☐ File a *30 Day After Election Report* **before** being sworn-in.
- ☐ Committee may remain open. After the general election, amend *Statement of Committee Organization* to reflect next election date. May use committee funds for necessary and ordinary expenses in connection with the duties of the office.
- ☐ Terminate the committee (optional).

Campaign committees: see page 27.

Conflict of Interest

What is governmental conflict of interest?

(§§ 105.450-105.467, RSMo)

A conflict of interest is generally defined as a conflict between the private interests and official responsibilities of a person in a position of trust (Merriam-Webster). The Commission enforces specific laws that define conflicts of interest for public officials and employees.

These laws prohibit public officials and employees, their spouses, and dependent children from realizing a personal gain by virtue of their office or position. In some circumstances, these prohibitions also apply to their businesses. These laws also include restrictions on receiving additional compensation via employment, providing services or conducting business with the political subdivision and acting to influence decisions that could result in a financial benefit.

In this section:

- Employment and compensation
- Providing services and conducting business
- Decision-making
- Use of public funds
- Governmental nepotism



* See the [Conflict of Interest Guide](#) available on our website.

- Conflict of Interest -

Employment and Compensation

(§§105.454, 105.456, 105.458, 105.462, RSMo)

As a general rule, certain elected and appointed officials, and some employees of the state or a political subdivision, cannot be employed in another capacity by the public entity in which they serve. Additionally, these officials and employees cannot be paid by a third party to influence a decision of the state or political subdivision in which they serve.

There are also statutory provisions that prevent some former officials and employees from accepting compensation to attempt to influence a decision of the state or political subdivision that they formerly served. Officials with rulemaking authority are similarly prohibited, and they are also prohibited from doing business for a year with any entity that participated in a proceeding before that official in the preceding year.

Providing Services and Conducting Business

(§§ 105.454, 105.456, 105.458, RSMo)

Generally, officials and employees may not do business with the state or the political subdivision they serve in an amount greater than \$500 per transaction or \$5,000* per year unless there is public notice, competitive bidding, and the official or employee is the lowest bidder. The prohibition covers the provision of services and the selling, renting, or leasing of property. These restrictions also apply to school district officials and employees.

Statewide officeholders and officials who are members of any legislative body are also prohibited from doing business with the state or political subdivision via a business entity in an amount greater than \$500 per transaction or \$5,000* per year unless there is public notice, competitive bidding, and the official or employee is the lowest bidder. This prohibition applies to sole proprietorships and entities where the official holds a 10% ownership interest.

Some of these provisions may extend to the official/employee's spouse, dependent children, and/or associated business. See §§ 105.454—105.458 for more information.

** For the General Assembly and statewide officeholders, the annual limit is \$1,500.*

- Conflict of Interest -

Decision-Making

(§§ 105.452, 105.454, 105.462)

No public official or state/subdivision employee may act officially (or refrain from acting officially) in exchange for any payment, offer/promise to pay, or receipt of anything of value. This includes payments to third persons, gifts, and campaign contributions. Additionally, they may not offer, promote, or advocate for a political appointment in exchange for anything of value to any political subdivision.

Public officials and employees cannot make decisions that may financially impact themselves or their family when the vote would provide them, their spouse, or dependent child a “special monetary benefit” which is not provided to everyone in the same class. See § 105.452(4), RSMo, for more information and the definition of a special monetary benefit. Public officials and employees are also prohibited from realizing a gain from the use or disclosure of confidential information.

Officials and employees serving in an executive or administrative capacity or with rulemaking authority may not attempt to influence decisions of the political subdivision that may financially benefit themselves, their spouse, dependent child, or associated business* unless the political subdivision:

- Provides public notice;
- Offers competitive bidding; and
- Requires the official/employee’s bid to be the lowest received.

** via the performance of a service, or the sale, rental, or lease of property in an amount over \$500 per transaction or \$5,000 per year. See § 105.454.1(3), RSMo, for more information.*

Use of Public Funds

(§ 115.646, RSMo)

No contribution or expenditure of public funds can be made by an officer, employee, or agent of a political subdivision (including school districts and charter schools) to advocate, support, or oppose any ballot measure or candidate for public office. This does not prohibit public officials of a political subdivision from making public appearances or issuing press releases about a ballot measure.

- Conflict of Interest -

Governmental Nepotism

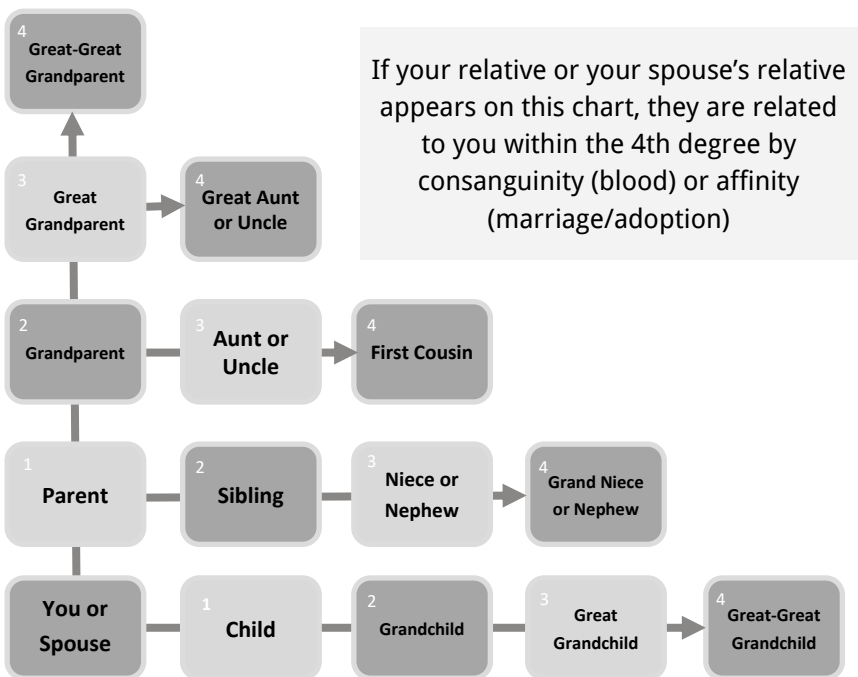
(Mo. Const. Art. VII, § 6)

The Missouri Constitution prohibits any public officer or employee from naming or appointing to public office or employment any relative within the 4th degree by consanguinity (blood) or affinity (marriage/adoption), by virtue of their office or employment. Court opinions state that a relationship of affinity does not extend beyond blood relatives of the spouse.

The penalty for violation is automatic forfeiture of office. The MEC cannot enforce this clause, therefore, it is not necessary to file a complaint with the Commission. For enforcement, contact the county prosecutor or Attorney General.

Note: In addition to the Missouri Constitution, political subdivisions may have their own ordinances, policies, and/or procedures. Always consult the political subdivision to ensure all local laws are followed in addition to state laws.

Nepotism Chart



4

Lobbying

Who is a lobbyist?

(§§ 105.470—105.478, RSMo)

A state lobbyist is an individual who attempts to influence state executive, state legislative, or state judicial purchasing actions; and meets one or more of the following:

- a. Acts in the ordinary course of business; or
- b. Engaged in pay as a lobbyist; or
- c. Designated to act as a lobbyist by a person, business entity, governmental entity, religious organization, nonprofit corporation, association or other entity; or
- d. Spends \$50 or more on behalf of public officials annually.

An elected local government official lobbyist is an individual who is employed for the purpose of attempting to influence any action by a local government official elected in a county, city, town, or village with an annual operating budget over \$10 million.

In this section:

- Lobbyist requirements
- Required reports
- Waiting periods
- Additional lobbyist restrictions



* See [FAQs](#) on our website for more information.

- Lobbying -

Types of Lobbyists

(§ 105.470, RSMo)

There are four types of lobbyists:

1. Legislative lobbyist
2. Executive lobbyist
3. Judicial lobbyist
4. Elected local government official lobbyist

Legislative Liaison

(§ 105.470(5)(d), RSMo)

A legislative liaison is any state employee hired to communicate with members of the General Assembly on behalf of any elected official of the state; the judicial branch of state government; or any department, agency, board, or commission of the state, provided such entity is a part of the executive branch of state government. A legislative liaison is **not** a legislative lobbyist.

Lobbyist Requirements

(§ 105.473, RSMo)

A lobbyist may register to lobby any or all branches of government. Each lobbyist must do the following:

- Register annually with the MEC;
- Pay a \$10 annual registration fee;
- File monthly reports disclosing any monies spent on elected officials, their family and/or staff (or a *Non-Expenditure Report*) and disclosing business relationships with public officials.

A lobbyist may amend or terminate their status at any time.

Lobbyist Principal

(§ 105.470(7), RSMo)

A lobbyist principal is any person, business entity, governmental entity, religious organization, nonprofit corporation, or association who employs, contracts for pay, or otherwise compensates a lobbyist.

- Lobbying -

Required Reports

(§ 105.473, RSMo)

Monthly Expenditure Reports:

Monthly expenditure reports must be filed electronically on or before the 10th day of each month. Monthly expenditure reports must be filed, regardless of whether the lobbyist has expenditures to report. Failure to timely file monthly reports results in a \$10 per day late fee.

These reports disclose expenditures made by the lobbyist principal and/or the lobbyist on behalf of:

- The spouses of state and local public officials/employees,
- The dependent children of state and local public officials/employees,
- Elected local government officials in a county, city, town, or village with an annual operating budget over \$10 million, and
- Employees of such an elected local government official.

Important Note: to learn more about what is, and what is not, considered an expenditure for the purposes of lobbyist reporting, see the definition of “expenditure” in § 105.470(3), RSMo.

List of Principals and Legislative Action Reports:

A lobbyist or lobbyist principal must file a *List of Principals and Legislative Action* report with the MEC by March 15 and May 30 of each year to disclose their interests to the public. Electronic filing of this report is now available for registered lobbyists.

Restrictions on Lobbyist Gifts

(Mo. Const. Art. III, § 2)

The Missouri Constitution prohibits members and employees of the General Assembly from receiving gifts from paid lobbyists or lobbyist principals.

Executive Order 18-10 also prohibits lobbyist gifts to the executive branch of state government.

- Lobbying -

Waiting Periods

(Mo. Const. Arti. III, § 2(a), §§ 105.455 and 105.470(5)(d), RSMo)

- No member or employee of the General Assembly shall act or serve as a paid lobbyist until the expiration of two calendar years after the conclusion of the session in which the member or employee served.
- Any person who holds a statewide office of Governor, Lieutenant Governor, Secretary of State, Auditor, Treasurer, Attorney General, or serves in an office appointed by the Governor and confirmed by the Senate, cannot act, serve, or register as a lobbyist until six months after their term of office expires.

These provisions do not apply to persons acting as a legislative liaison for a state department or agency, even if paid.



Additional Restrictions

(§§ 105.465 and 130.097, RSMo)

Any person who registers as a lobbyist and also has a candidate committee must dissolve the candidate committee and disburse all money of the committee by:

- Returning contributions to contributors;
- Donating to a 501(c)(3) nonprofit entity; or
- Transferring funds to a political party committee.

No person who registers as a lobbyist can transfer funds from any committee such person controls to another committee controlled by a candidate or public official ([Advisory Opinion 2016.08.L.001](#)).



For up-to-date information on lobbyist restrictions, refer to the [Advisory Opinions](#) on our website.

5

Complaints & Investigations

What does the MEC investigate?

(§§ 105.957—130.054, RSMo)

The MEC's statutory responsibilities include auditing disclosure reports and reviewing formal complaints for violations of:

- Campaign finance requirements (Chapter 130, RSMo, and Mo. Const. Art. VIII, § 23);
- Conflict of interest laws (§§ 105.450—105.467 & 171.181, RSMo);
- Financial interest disclosure requirements (§§ 105.483—105.492, RSMo);
- Lobbyist requirements (§§ 105.470—105.478, RSMo);
- The provisions of the Constitution or state statute or order, ordinance, or resolution of any political subdivision relating to the official conduct of officials or employees of the state and political subdivisions; and
- Any code of conduct promulgated by any department, division, or agency of state government or by state institutions of higher education, or by executive order

Investigations are confidential and not available for public viewing. Only Commission actions are published on the MEC's website.

In this section:

- Submitting a complaint
- Complaints against candidates
- Commission actions

- Complaints & Investigations -

Any individual may file a complaint with the MEC if they believe there has been a violation of campaign finance disclosure laws, conflict of interest laws, lobbying laws personal financial disclosure laws, or any order, ordinance, or resolution dealing with the official conduct of officials or employees. Once a complaint is filed meeting all MEC requirements, a determination is made as to whether or not an investigation should take place.

Submitting a Complaint:

1. Download a copy of the complaint form from mec.mo.gov.
2. Complete the form in writing, including all known facts.
3. Notarize the complaint.
4. Mail or deliver the complaint to the Commission. The alleged violator(s) will receive a copy of the complaint within five days of receipt.

Limitations on Complaints against Candidates

(§§ 105.957.3 and 130.054, RSMo)

- Within 60 days prior to the primary through the general election, the Commission can only accept a complaint on a candidate alleging violations relating to campaign finance disclosure law or PFD requirements.
- The Commission cannot accept any complaints against a candidate within 15 days of an election.
- The Commission may only accept a complaint alleging a candidate has violated Mo. Const. Art. VIII, 23.3 within 60 days prior to the primary election until the general election.

Commission Actions

(§ 105.961, RSMo)

- A hearing can be held if the Commission finds reasonable grounds that a violation of the law has occurred.
- A hearing is a legal proceeding in which respondents may be represented by legal counsel if they so choose.
- A respondent is found in violation when at least four members of the Commission finds probable cause of a violation.
- The Commission can resolve cases by issuing joint stipulations of fact and law which serve as a settlement.
- Commission actions are public and posted on the MEC website.



Search [Commission Cases—Commission Actions](#) on our website.

Additional Resources

6

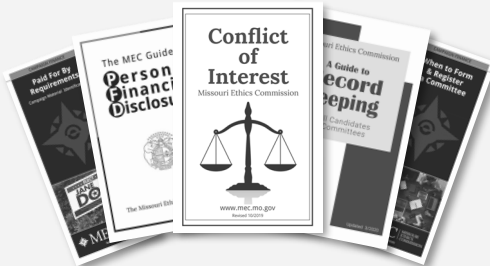
What resources does the MEC provide?

(§§ 105.957—130.054, RSMo)

The MEC offers training in a variety of mediums to candidates, elected and public officials, legislators, lobbyist, and others wanting to learn about Missouri's ethics laws.

The Resources & Training page on our website offers free:

- Trainings/presentations for conferences and events
- Webinars
- Publications and brochures
- On-demand YouTube Tutorial videos
- FAQs



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MISSOURI ETHICS COMMISSION

Staff Contacts

Elizabeth L. Ziegler Executive Director

Stacey Heislen Assistant Director

Brian Hamilton General Counsel

Contact Information

Physical Address 3411 A Knipp Drive
Jefferson City, MO 65109

Mailing Address: PO Box 1370
Jefferson City, MO 65102

Phone: 800-392-8660
573-751-2020

Website: mec.mo.gov

Email: helpdesk@mec.mo.gov

Twitter: Follow us @MOEthics

YouTube: youtube.com/MOEthics